

**Notice of Allowability**

Application No.

10/616,684

Applicant(s)

DOOLEY, RONALD E.

Examiner

LESLIE A. NICHOLSON III

Art Unit

3651

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/22/2010.
2. ☒ The allowed claim(s) is/are 1-38.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |   |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application                     |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date <u>10/14/2003</u> | 7. <input type="checkbox"/> Examiner's Amendment/Comment                              |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material                     | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance  |
|  | 9. <input type="checkbox"/> Other _____   |

/Leslie A Nicholson III/  
Primary Examiner, Art Unit 3651

***Allowable Subject Matter***

1. The following is an examiner's statement of reasons for allowance:

The Examiner has determined that though newly added claims 16-38 are broader in scope than original patent claims 1-15, they do not attempt to recapture any claimed subject matter with respect to that which was added, or argued, to overcome any prior art rejections in the original patent application since the surrender generated limitations have not been eliminated or broadened in claims 16-38. Therefore, each of claims 16-38 retain the surrender generated limitations from the original claims.

The Examiner notes that the surrender generated limitation "a plurality of feeder boxes associated with the one packer box" of claim 6 is not repeated word-for-word in either of corresponding claims 22,34. However, claim 22 recites "A feeder system for delivering signatures to an associated one of a plurality of packer boxes... comprising: a plurality of feeder boxes each adapted to deliver a distinct signature to the associated one of the packer boxes" and the feeder boxes activated to "deliver... signatures from the plurality of feeder boxes to the associated packer box". In brief, the feeder system comprises a plurality of feeder boxes while the plurality of feeder boxes are each adapted to deliver to one associated packer box of the plurality of packer boxes. Since only one associated packer box of the plurality of packer boxes receives signatures from the plurality of feeder boxes, the feeder boxes are thus associated with one packer box.

Similarly, claim 34 recites the feeder boxes activated to "deliver... signatures from the plurality of feeder boxes to the associated packer box". Since only one associated

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packer box of the packer boxes receives signatures from the feeder boxes, the feeder boxes are thus associated with one packer box.

The Examiner further notes that the surrender generated limitations of claim 29 appear to be "having a plurality of packer boxes" and "controlling the feeder boxes to thereby deliver a selected signature to the feed conveyor for delivery to the selected one of the packer boxes". Claim 29 recites these limitations. Though the claim does not expressly recite a gathering conveyor, this element in particular does not appear to be necessary to be repeated since it does not appear to be a surrender generated limitation.

2. Regarding the claims compared to the prior art of record:

Regarding at least claims 1-15, the prior art of record does not expressly disclose the feeder system having a plurality of feeder boxes and a feed conveyor such that a selected one of the feeder boxes may be activated to deliver a distinct signature to the associated packer box for insertion into the binding line, or a plurality of feeder boxes associated with any one of the packer boxes, or a feed conveyor to feed signatures from a plurality of sources to one of the packer boxes, or the control system, primary controller, or feed controller, as claimed.

Regarding claims 16-21, the prior art of record does not expressly disclose at least "a control system operatively connected to the packer boxes and being adapted to activate the packer boxes to thereby deliver a set of signatures to a gathering conveyor, the control system further being operatively connected to the feeder boxes and adapted to activate a selected one of the feeder boxes to thereby deliver a selected set of

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distinct signatures from the feeder system to the associated packer box to form the first book and activate a second selected one of the feeder boxes to deliver a second selected set of distinct signatures from the feeder system to the associated packer box to form the second book”.

Regarding claims 22-28, the prior art of record does not expressly disclose at least “a primary controller for activating the packer boxes to thereby deliver a selected set of signatures to a gathering conveyor, the primary controller being operatively connected to a feed system controller for activating a selected one of the feeder boxes to thereby deliver a first selected one of the distinct signatures from the plurality of feeder boxes to the associated packer box at a first time and for activating a second selected one of the feeder boxes to thereby deliver a second selected one of distinct signatures different from the first selected one of the signatures at a second time”.

Regarding claims 29-33, the prior art of record does not expressly disclose at least “controlling the feeder boxes to thereby deliver a selected first signature to the feed conveyor for delivery to the selected one of the packer boxes and to deliver a selected second signature different from the first signature to the selected one of the packer boxes”.

Regarding claims 34-38, the prior art of record does not expressly disclose at least “a primary controller for activating the packer boxes to thereby deliver a selected set of signatures to a gathering conveyor, the primary controller being operatively connected to a feed system controller for activating a selected one of the feeder boxes to thereby deliver a selected one of the distinct signatures from the plurality of feeder

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boxes to the associated packer box and for activating a second selected one of the feeder boxes to thereby deliver a second selected one of distinct signatures from the plurality of feeder boxes to the associated packer box".

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### **Conclusion**

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to LESLIE A. NICHOLSON III whose telephone number is (571)272-5487. The examiner can normally be reached on M-F, 8:30 AM - 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gene Crawford can be reached on 571-272-6911. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Leslie A Nicholson III/  
Primary Examiner, Art Unit 3651  
11/29/2010